



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

November 12, 2013

ARLENE R. MILLER
Deputy Commissioner

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 74.18-3-31

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date: 10/11/2013

Date Review Received: 10/29/2013

Item: *ROHLAND SITE PLAN (O-281B)*

Site plan to legalize a contractor's storage yard located on 2.86 acres in the LI zoning district.
200 feet east of Western Highway, approximately 445 feet south of W. Lowe Lane

Reason for Referral:

Western Highway, Palisades Interstate Parkway

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

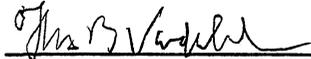
****Recommend the following modifications***

1 A review must be completed by the County of Rockland Department of Highways and any required permits obtained.

2 The narrative describes a 1970 three-lot subdivision that was proposed for the site, with proposed uses on each lot. It states that tax lot 29 was to contain two light manufacturing buildings with parking along the railroad, and tax lot 30 showed the existing home and garage. These are incorrect and should be reversed, with the house and garage on tax lot 29, and the manufacturing buildings on tax lot 30. The narrative should be corrected.

3 It should be determined if the contractor storage yards are permitted since the Orangetown code does not allow storage unless it is completely within enclosed buildings. In addition, as per Section 3.11, Column 7, #3, all open storage yards must be screened from adjacent lots and the street line. Fencing, landscaping or some other type of screening must be provided to meet this section of the Town Code.

ROHLAND SITE PLAN (O-281B)



Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
Rockland County Department of Highways
Rockland County Department of Health
Palisades Interstate Park Commission
Atzl, Scatassa & Zigler P.C.

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.